

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GRACE GARCIA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:20-cv-00373-SAB

ORDER REQUIRING PLAINTIFF TO
SHOW CAUSE WHY THIS ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY AND FAILURE TO
PROSECUTE

FIVE DAY DEADLIN

Plaintiff Grace Garcia (“Plaintiff”) filed this action seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner” or “Defendant”) denying an application for disability benefits pursuant to the Social Security Act. On December 30, 2020, a stipulation was filed to extend time for Plaintiff to file her opening brief. An order was filed on January 4, 2021, granting the request for an extension of time and Plaintiff was ordered to file her opening brief on or before February 3, 2021. Plaintiff did not file an opening brief on the deadline or otherwise respond to the January 4, 2021 order.

Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000).

///

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff SHALL SHOW CAUSE IN
2 WRITING why this action should not be dismissed for failure to prosecute within **five (5) days**
3 of the date of service of this order. Failure to comply with this order to show cause shall result in
4 this action being dismissed for failure to prosecute.

5
6 IT IS SO ORDERED.

7 Dated: **February 4, 2021**


UNITED STATES MAGISTRATE JUDGE